

MINUTES

UTAH SUBSTANCE ABUSE COUNSELOR LICENSING BOARD MEETING

July 27, 2011

**Room 474 – 4th Floor – 9:00 A.M.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:07 A.M.

ADJOURNED: 3:52 P.M.

Bureau Manager:
Board Secretary:

Richard J. Oborn
Lee Avery

Board Members Present:

Shawn M. McMillen, Chairperson
Marilyn Foster
Gloria Boberg
Georgia Hare
David Felt, Acting Chairperson
Pete Prazza

Board Members Absent:

Stephen R. Sheppard, Ph.D.

Guests:

Sirinda Leftwich
Betty Nielsen

DOPL Staff Present:

Susan Higgs, Compliance Specialist
Kent Barnes, Compliance Manager

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Minutes:

The Board reviewed the minutes from the April 26, 2011 Board meeting. Mr. Felt motioned to approve the minutes with changes, seconded by Ms. Foster. The motion carried unanimously.

COMPLIANCE REPORT:

Susan Higgs, Compliance Specialist

#1. Ms. Lohrymer is in compliance with her stipulation. She has not submitted the letter for April and July 2011 stating she is not working; however, the Board decided it would accept her e-mails indicating

she is not working. She submitted her weekly support group attendance and her wellness plan. She resubmitted her essay for review.

#2. Mr. Marble is in compliance with his stipulation. The Division received his supervisor reports. These reports were very positive. He submitted his support group attendance record and his essay. Mr. Marble submitted his CE certificate showing he completed 3 hours. He still needs 3 additional hours by June 1, 2012. Mr. Marble has not missed calling the drug screen line and all tests have been negative.

#3. Mr. Garrett is in compliance with his stipulation. He submitted positive supervisor reports for April, May, and June. He submitted his support group attendance documentation and a certificate for 6 hours of continuing education that he completed. His essay is due November 2011.

#4. Mr. Robertson is in compliance with his stipulation. He submitted positive employer and supervisor reports.

#5. Ms. Carter is in compliance with her stipulation. She submitted her supervisor report stating she is not working. She submitted her support group attendance documentation and her therapist report. Ms. Carter just registered for school.

Discussion:

Ms. Foster motioned to close the Board meeting at 9:30 A.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Foster. The motion carried unanimously. There was no recording made. There were no written notes taken. The Board meeting opened at 9:33 A.M. Ms. Foster motioned to release Ms. Carter from probation, if the Board feels good about her status at today's interview, seconded by Mr. Prazza. The motion carried unanimously. Ms. Boberg motioned to close the Board meeting at 10:03 A.M., to discuss the character, professional

competence, or physical or mental health of an individual, seconded by Mr. Prazza. The motion carried unanimously. There was no recording made. There were no written notes taken. The Board meeting opened at 10:11 A.M. Mr. Felt motioned to amend the earlier motion, to include a request that Ms. Carter complete a drug screen today. If the screen returns positive, with only a prescription that is approved by her physician, then approve her early release from probation, seconded by Mr. Prazza. The motion carried unanimously.

#6. Ms. McNeil is in compliance with her stipulation. She submitted a supervisor report from July; her support group attendance; and letters of support for early termination.

#7. Ms. Bruce is in compliance with her stipulation. She submitted the required supervisor reports, including documentation verifying that she faxed the previous supervisor reports. She submitted her support group attendance record. The Board needs to discuss the dilutes and out of range drug screen results.

#8. Ms. Beutler is in compliance with her stipulation. She submitted her supervisor reports. She submitted a CV for Jon Skidmore, PhD, to supervise her. She is doing her drug screens regularly. She is taking a prescription on a PRN basis. She submitted additional continuing education documentation.

#9. Ms. Riggan is not in compliance with her stipulation. She submitted supervisor reports and support group documentation. Ms. Riggan missed 3 drug screens. She is not calling the drug screen regularly.

#10. Ms. Apo is not in compliance with her stipulation. She submitted her supervisor reports. She has not missed calling the drug screen and has not

missed drug screens. She has not submitted verification of her support group attendance.

#11. Ms. Berg is not in compliance with her stipulation. She submitted her supervisor report and support group meetings attendance. She submitted 3 hours of continuing education documentation in ethics sponsored by NAADAC and she needs to obtain 3 additional hours. She has a UA positive for alcohol and consumption and Tramadol. She has not submitted a prescription for Tramadol.

#12. Ms. Nish is not in compliance with her stipulation. She has not been working in this field. She needs to submit 10 hours of approved CEs and a CV for Barry Adams. She needs to do 6 months of therapy if the Board accepts the evaluation. She submitted an essay.

APPOINTMENTS:

Ms. Janice Lohrmeyer, probation interview

Ms. Lohrmeyer met with the Board. Ms. Foster conducted the interview. The Board advised Ms. Lohrmeyer the Division would be using a new drug screen company. Ms. Lohrmeyer advised the Board that she has resumed therapy and they are establishing some guidelines for her. The Board reminded Ms. Lohrmeyer that her therapy reports are due quarterly. Ms. Lohrmeyer stated that she is attending AA meetings again and is back in school. She has been seeking employment in the substance abuse field. The Board gave her a copy of an example practice plan, noting that it is due by October 10, 2011. The Board noted that Ms. Lohrmeyer has turned things around since her meeting on April 26, 2011. The Board asked to see Ms. Lohrmeyer on October 26, 2011. The Board noted that as long as she stays in compliance, and is not working in the field, a telephone interview is okay. **Ms. Lohrmeyer is in compliance with her stipulation.**

Mr. Dee Marble, probation interview

Mr. Marble met with the Board. Ms. Boberg conducted the interview. Mr. Marble stated that things are going well. The Board asked Mr. Marble to submit a status plan or a practice plan. Mr. Marble

stated he would submit an updated copy. Mr. Marble stated that he faxed documentation of completing his CEs in April, and will resubmit them to Ms. Higgs. Mr. Marble noted that the CE class he just completed went very well. They reviewed the new code of ethics. The Board advised Mr. Marble that he did a good job with his essay on ethics. Ms. Boberg motioned to accept his letter, seconded by Ms. Hare. The motion carried unanimously. The Board asked to see Mr. Marble on October 26, 2011. **Mr. Marble is in compliance with his stipulation.**

Mr. Michael Garrett, probation interview

Mr. Garrett met with the Board. Mr. Felt conducted the interview. Mr. Garrett was advised that he failed to call the drug screen once and reminded him that he needs to make these calls. Mr. Garrett stated his habit is to call in the mornings. He is already set up with the new drug screen company. Mr. Garrett stated that he is still working at Discovery House and things are going well. He started working for Discovery House May 1, 2011. Mr. Garrett stated he continues to balance the daily needs of everyday life. Mr. Garrett stated he is working on his ethics essay. He plans to have it done in time for his next meeting with the Board. The Board asked to see Mr. Garrett on October 26, 2011. **Mr. Garrett is not in compliance with his stipulation due to the fact that on one occasion he failed to check-in with the drug testing company to find out if he needed to be drug screened.**

Mr. Chuck Robertson, probation interview

Mr. Robertson met with the Board. Mr. Felt conducted the interview. The Board advised Mr. Robertson that he needs to have his supervisor, Ms. Sabina Weil, complete this form. This is a onetime form she needs to sign, acknowledging her supervision. His employment is going well. He is staying busy. Mr. Robertson stated he is attending support meetings. He will be graduating in March and will then move into the master's program. The Board noted that his supervisor's reports are current and positive. The Board advised Mr. Robertson that his probation started in June and because he was not working in the field, his probation time stopped. Mr. Robertson shared with the Board that he has been clean and sober 2 years in October. The Board reviewed the possibility of releasing Mr. Robertson

early from probation in the future, noting that he could have his supervisor make a note in her report that she supports his early release from probation. He needs to submit a letter requesting early termination of his probation and why he feels it is justified and how he has been in compliance with his stipulation. Mr. Oborn noted that his violation was serious and the Board will need to consider the seriousness of his offence. The Board noted that Mr. Robertson has taken ownership of his choices, and is doing well. The Board asked to see Mr. Robertson on October 26, 2011. **Mr. Robertson is in compliance with this stipulation.**

Ms. Noelle Carter, probation interview

Ms. Carter met with the Board. Mr. McMillen conducted the interview. Ms. Carter advised the Board that she starts school on August 24, 2011. She has put looking for a job on hold at this time. Her ultimate goal is to obtain her LCSW. The Board noted that her therapist reports are current and positive. Ms. Carter submitted support group attendance documentation. Ms. Carter stated she has phone contact with her sponsor. Ms. Carter asked the Board to consider releasing her from probation. The Board noted that her therapist is supporting early termination of her probation. Mr. Felt motioned to close the Board meeting at 11:35 A.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Foster. The motion carried unanimously. There were no written notes taken. A recording was not made. The Board meeting opened at 11:40 A.M. Mr. Felt motioned to have Ms. Ms. Carter do a UA drug test, and if there are no deviations from her prescriptions, then release her from probation. The motion was seconded by Ms. Foster. The motion carried unanimously. **Ms. Carter is in compliance with her stipulation.**

Ms. Rebecka McNeil, probation interview

Ms. McNeil met with the Board. Mr. Prazza conducted the interview. The Board noted that her supervisor reports from Dr. Simmons are current and positive. Dr. Simmons supports Ms. McNeil's release from probation. Ms. McNeil stated things are going well. She may go back to school for her master's degree this fall. Ms. McNeil stated that her felonies were reduced to misdemeanors and she will have these

expunged in a few years. Ms. McNeil stated that she continues to work at Metamorphosis and attends support meetings 2 times a month. Her biggest support is through her Odyssey group. Ms. McNeil asked the Board to consider early termination of her probation. She noted that she has been in compliance with her stipulation. She has learned and grown a lot throughout this process. **Mr. Felt motioned to recommend to release Ms. McNeil from probation, seconded by Mr. Prazza. The motion carried unanimously.**

Ms. Paula Bruce, probation interview

Ms. Bruce met with the Board. Ms. Foster conducted the interview. Ms. Bruce advised the Board that she attends a women's support luncheon once a month. The Board reminded Ms. Bruce that her essay is due today. Ms. Bruce stated she would obtain the details regarding what the Board is looking for from Ms. Higgs, and have it submitted by Monday (August 1, 2011). The Board noted that Ms. Bruce's drug screens are still showing dilutes and out of range. The Board encouraged her to take her UA's early in the morning, before going to the gym. The Board reviewed the new testing agency information with Ms. Bruce. The Board asked to see Ms. Bruce on October 26, 2011. **Ms. Bruce is not in compliance with her stipulation because she needs to submit her essay and because some of her UAs have been dilute and out of range.**

Ms. Rochelle Beutler, probation interview

Ms. Beutler met with the Board. Mr. Prazza conducted the interview. Ms. Beutler stated things are going okay and she received the new drug packet information. Ms. Beutler stated that she has signed up for the drug screens. She has been working for 5 months. Her new supervisor is Paul Dymock. The Board advised Ms. Beutler that she needs to submit Mr. Dymock's CV. Ms. Boberg motioned to close the Board meeting at 12:10 P.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Foster. The motion carried unanimously. There were no written notes taken. A recording was not made. The Board meeting opened at 12:19 P.M. The Board noted that Ms. Beutler started a 2 year probation in August 2010. January 2011 she will have completed half of her probation. She could submit a letter from her

supervisor supporting early release from her probation with a letter from her stating why she feels justified to ask for early release from her probation. The Board asked to see Ms. Beutler on October 26, 2011. **Ms. Beutler is in compliance with her stipulation.**

Ms. Lilia January Riggin, probation interview

Ms. Riggin met with the Board. Mr. Felt conducted the interview. Ms. Riggin stated she is attending support meetings. The Board noted that her supervisor reports are current and positive. The Board advised Ms. Riggin that she is not calling the drug screen line regularly. She missed calling 10 times and has missed 3 drug screens in 2 weeks. The Board asked her to submit a letter outlining how she is going to get back into compliance with her stipulation. Ms. Riggin stated that she is going to the September conference for her continuing education. The Board asked her to submit copies of her certificates when she completes these. The Board noted that her stipulation indicates that she needs to complete additional CEs at the Board's request. The Board decided that at this time, the Board is not going to require her to obtain additional CE hours. Ms. Riggin advised the Board that she would be going to California August 30 to September 5, 2011. The Board reminded Ms. Riggin that she still needs to call the drug screen number. Ms. Riggin stated she continues working at Davis Behavioral Health and is careful to not use her work as her recovery. She attends the support meetings her employer will not let their clients attend. Ms. Riggin advised the Board that her employer would like to conduct an educational meeting with their clients regarding boundaries. The Board cautioned her to not personalize her story. With their clients knowing more about her details, this would change the way they respond to her. The Board asked to see Ms. Riggin on October 26, 2011. **Ms. Riggin is not in compliance with her stipulation due to the fact that she failed to check-in with the drug testing company on several occasions to find out if she needed to be drug screened.**

Ms. Heather Apo-Ewers, probation interview

Ms. Apo-Ewers met with the Board. Ms. Apo-Ewers advised the Board that her new last name is Ewers. She was married June 22, 2011. The Board advised Ms. Apo-Ewers that she is not in compliance with her

stipulation. She has not submitted her support group attendance documentation. Ms. Apo-Ewers stated she would get these submitted. She has been attending 3 or 4 support meetings a week. The Board noted that she has submitted her supervisor reports and has not missed calling the drug screen line. Ms. Apo-Ewers has not missed any drug screens. Ms. Apo-Ewers stated she works at First Step House. She is currently working on a 12 step facilitation class and a communications skills class at First Step House. Ms. Apo-Ewers stated she keeps her recovery separate from her employment. She meets with her supervisor, Doug Staffer, once a week in a team meeting and then she meets with him individually. The Board reminded Ms. Apo-Ewers she needs to submit her essay by February 2, 2012. The Board requested her essay be regarding her scope of practice and the limitations. The Board advised Ms. Apo-Ewers that if she continues being out of compliance with her stipulation, the Board may require her to obtain additional CEs as outlined in her stipulation. Ms. Apo-Ewers stated she did not receive the new packet regarding the new drug screening company. Ms. Apo-Ewers gave the Board her new address. Ms. Apo-Ewers advised the Board that she is going to Lake Powell from September 9, to October 1, 2011 and there is no cell phone service in this area. The Board asked to see Ms. Apo-Ewers on October 26, 2011. **Ms. Apo-Ewers is not in compliance with her stipulation because she failed to submit verification of her support group attendance.**

Ms. Julie Kopaunik-Berg, probation interview

Ms. Berg met with the Board. Mr. Prazza conducted the interview. Mr. Felt motioned to close the Board meeting at 2:26 P.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Foster. The motion carried unanimously. There were no written notes taken. A recording was not made. The Board meeting opened at 2:28 P.M. The Board advised Ms. Berg that she is not in compliance with her stipulation because she failed to call the drug screen line on Sundays from May 7, 2011 to July 24, 2011. The Board reminded Ms. Berg that she needs to call the drug screen line every day, including weekends and holidays. The Board noted that she is in compliance with everything

else. The Board reviewed Ms. Berg's new stipulation noting that she cannot consume alcohol and she still needs an additional 3 continuing education hours. These need to be completed by January 28, 2012. The Board encouraged her to not wait until January to submit these. The Board noted that her essay was well done. It showed she internalized the information she received. Mr. Prazza motioned to approve essay, seconded by Ms. Hare. The motion carried unanimously. The Board asked to see Ms. Berg October 26, 2011. **Ms. Berg is not in compliance with her stipulation due to the fact that she failed to check-in with the drug testing company to find out if she needed to be drug screened on several occasions.**

Ms. Charmele Nish, probation interview

Ms. Nish met with the Board. Ms. Foster conducted the interview. The Board advised Ms. Nish that she is not in compliance with her stipulation. Ms. Nish needs to submit 10 hours of CEs and a CV for her supervisor, Berry Adams. Ms. Nish stated that she was not able to obtain a CV from Mr. Adams at this time, but will get it to Ms. Higgs as soon as possible. Ms. Nish stated that she gathers information/screening for individuals who are court ordered to complete SASSY tests. She does some counseling on substance abuse issues. She has been doing this since May 2011, and enjoys her job. Ms. Nish stated that she receives a lot of support from her family and employer. Mr. Oborn will send her a list of psychologists. She is free to choose one from the list or find one on her insurance panel for her evaluation. Ms. Nish noted that she has completed 12 hours of CEs, some specific to ethics. The Board asked Ms. Nish to re-do her essay. The Board would like it to be more personal and for her internalize it more. The Board asked to see Ms. Nish on October 26, 2011. **Ms. Nish is not in compliance with her stipulation because she did not complete the psychological evaluation, the CE on time. In addition, she needs to resubmit her essay because the one she submitted did not internalize the information.**

1. Revisions to NAADAC Code of Ethics and amendments to R156-60d-502

Mr. Oborn reviewed the revisions to the NAADAC Code of Ethics with the Board. Mr. Oborn noted that

the revisions are needed to clarify language that needs to be more specific. Mr. Oborn noted that if the Board agrees with them, then the rule would need to be changed to coincide with the NAADAC Code of Ethics. Mr. Felt motioned to change the rule to coincide with the NAADAC Code of Ethics, seconded by Ms. Foster. The motion carried unanimously.

2. Update regarding possible legislation to make changes to substance abuse counselor license categories and scope of practice

Mr. Felt shared with Board that the Utah Behavioral Health Committee (UBEC) is considering sponsoring legislation regarding the scope of practice for licensed substance abuse counselors (LSAC) and proposing additional license levels. Level 1 is an entry level, substance abuse technician/specialist, requiring a GED/associate degree and level 2, A bachelor's level, requiring a Bachelors degree. Mr. Felt stated they are still working through the process and he will keep the Board advised.

CORRESPONDENCE:

None at this time

Next Board Meeting:

October 26, 2011

ADJOURN:

The meeting adjourned: 3:50 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Date Approved

Chairperson, Utah Substance Abuse Counselors
Licensing Board

Date Approved

Bureau Manager, Division of Occupational &
Professional Licensing